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Filing date: **09/12/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189169
Party	Plaintiff Natural Couture, Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/Thomas J. Speiss, III/
Date	09/12/2011
Attachments	Oppos 91189169 Motion to Suspend.pdf (3 pages)(118413 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Natural Couture, Inc.)	Opposition No. 91189169
)	
)	
Opposer,)	
)	
vs.)	
)	Our File No. 83201-2
)	
Xtreme Couture, Inc.)	
)	
Applicant.)	
_____)	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED MOTION FOR SUSPENSION OF PROCEEDINGS AND EXTENSION OF
TIME FOR DISCOVERY AND TESTIMONY PERIODS

Opposer Natural Couture, Inc., and Applicant Xtreme Couture, Inc., hereby move that these proceedings be suspended for three (3) additional months during the parties' settlement discussion and that the discovery and testimony periods be extended and reset as set forth below. Since the Board issued its January 3, 2011 order, the parties have held multiple settlement conferences in lieu of a Discovery Conference. More recently, there has been an apparent change of counsel for Applicant, and the parties are now involved in **intensive** settlement negotiations,

which they expect to reach fruitful resolution in the near future.¹ As such it would be wasteful of the Board's and the parties' resources to prepare this case for trial at this time.

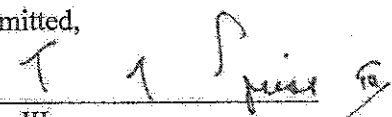
The requested suspension and these extensions are requested to allow the parties to pursue discovery and to discuss ongoing settlement discussions and are not for the purpose of undue delay. Accordingly, the parties hereby jointly request a brief ninety (90) day suspension of these proceedings and extension of the remaining dates in order to complete their complex settlement negotiations. On that basis, they propose that the following dates and deadlines be put in place:

Deadline for Discovery Conference	January 13, 2012
Discovery Opens	January 13, 2012
Initial Disclosures Due	February 15, 2012
Expert Disclosures Due	May 14, 2012
Discovery Closes	June 12, 2012
Plaintiff's Pretrial Disclosures Due	July 26, 2012
Plaintiff's 30-day Trial Period Ends	August 27, 2012
Defendant's Pretrial Disclosures Due	September 10, 2012
Defendant's 30-day Trial Period Ends	October 15, 2012
Plaintiff's Rebuttal Disclosures	October 30, 2012
Plaintiff's 15-day Rebuttal Period Ends	November 20, 2012

The attorneys for both parties have agreed to the extension dates as outlined above.

Respectfully submitted,

DATED: September 12, 2011



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¹ The parties have been engaged in protracted settlement negotiations for many months involving a highly complex business dispute, only a small part of which involves the trademarks at issue in this proceeding. The parties were previously unable to proceed in connection with this opposition and the trademark issues raised herein based on the larger unresolved business issues involved in the dispute. However, the parties both agree and anticipate that they will be able to agree on a settlement of all claims in the near future.

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is: 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012-2601.

On September 12, 2011, I served the following described as: SUSPENSION OF PROCEEDINGS AND EXTENSION OF TIME FOR DISCOVERY AND TESTIMONY PERIODS on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Edward Jaffe
JAFJE, ROSS & LIGHT LLP
880 Third Avenue
New York, NY 10022

☒ (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.


☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the offices of a member of this court at whose direction the service was made.

XX

Executed on September 12, 2011 at Los Angeles, California.

Susan Tarbouche
(Print Name)


(Signature)